

Afghanistan

<i>Selected Statistics and Indicators on Child Labor</i>	
Percent of children 5-14 estimated as working:	Unavailable
Minimum age of work:	15 ¹⁵
Age to which education is compulsory:	Unavailable
Free public education:	Yes ¹⁶
Gross primary enrollment rate in 2002:	92% ¹⁷
Net primary enrollment rate:	Unavailable
Percent of children 5-14 attending school:	Unavailable
Percent of primary school entrants likely to reach grade 5:	Unavailable
Ratified Convention 138:	No ¹⁸
Ratified Convention 182:	No ¹⁹
ILO-IPEC participating country:	No ²⁰

Incidence and Nature of Child Labor

Children in Afghanistan work as street vendors, shopkeepers, workshop assistants, blacksmiths, tailors, and domestic laborers. They also work in agriculture. In the cities, some children collect paper and scrap metal, shine shoes, and beg. Children have been arrested for drug trafficking in Afghanistan.²¹ Years of conflict have left many families with child-headed households, thus forcing the children to work.²²

Afghanistan is a country of origin and transit for children trafficked to Iran, Pakistan, and the Gulf states for camel jockeying, forced begging, and commercial sexual exploitation.²³ Reports indicate that children from the south of Afghanistan have been trafficked to Pakistan for factory

¹⁵ U.S. Embassy- Kabul, *reporting, September 14, 2005*.

¹⁶ Government of Afghanistan, *Constitution of Afghanistan*, (January 4, 2004), Article 43; available from http://www.oefre.unibe.ch/law/icl/af00000_.html. See also U.S. Department of State, "Afghanistan," in *Country Reports on Human Rights Practices- 2006*, Washington, DC, March 6, 2007, Section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2006/78868.htm>. See also Anita Anastacio and Dawn Stallard, *Report Card: Progress on Compulsory Education, Grades 1-9*, The Human Rights Research and Advocacy Consortium, March 2004, 1; available from http://www.oxfamamerica.org/pdfs/afghan_education_report.pdf.

¹⁷ UNESCO Institute for Statistics, *Gross Enrolment Ratio. Primary*, December 20 2006; available from <http://stats.uis.unesco.org/>.

¹⁸ ILO, *List of Ratifications of International Labor Conventions, Minimum Age Convention, 1973*, February 5, 2007; available from <http://webfusion.ilo.org/public/db/standards/normes/appl/appl-byConvYear.cfm?hdroff=1&Lang=EN&conv=C138>.

¹⁹ ILO, *List of Ratifications of International Labor Conventions, Worst Forms of Child Labor Convention, 1999*, February 5, 2007; available from <http://webfusion.ilo.org/public/db/standards/normes/appl/appl-byConvYear.cfm?hdroff=1&Lang=EN&conv=C182>.

²⁰ ILO-IPEC, *IPEC Action Against Child Labor: Highlights 2006*, Geneva, October 2006, 29; available from http://www.ilo.org/iloroot/docstore/ipecc/prod/eng/20061019_Implementationreport_eng_Web.pdf.

²¹ U.S. Department of State, "Country Reports- 2006: Afghanistan," Section 6d. See also Integrated Regional Information Networks, "Afghanistan: UNICEF Expresses Concern about Child Labour", IRINnews.org, [online], December 6, 2005 [cited October 22, 2006]; available from <http://www.irinnews.org/report.asp?ReportID=50528&SelectRegion=Asia&SelectCountry=AFGHANISTAN>.

²² A. B. Popal, *Child-Labor or Breadwinner*, UN-Habitat, October 8, 2004; available from <http://www.fukuoka.unhabitat.org/project/voice.php?sn=8&cn=2&la=1>.

²³ U.S. Department of State, "Country Reports- 2006: Afghanistan," Section 5. See also U.S. Department of State, "Afghanistan (Tier 2)," in *Trafficking in Persons Report- 2006*, Washington, DC, June 5, 2006; available from <http://www.state.gov/g/tip/rls/tiprpt/2006/>.

work.²⁴ Children, especially boys, have been the primary victims of external trafficking.²⁵ Internal trafficking of children occurs for begging, debt bondage in the carpet and brick industries, and commercial sexual exploitation.²⁶ The U.S. Department of State reports that there have been unconfirmed accounts of children under 18 providing false identification papers in order to join the Afghan National Army and police forces.²⁷ A lack of access to conflict areas has made it difficult to confirm the continued use of child soldiers by armed groups; however, media reports indicate that the practice may still exist.²⁸

Child Labor Laws and Enforcement

The law prohibits employment of children under 15, although they may be employed at 14 and may be hired as trainees with parental approval at 13. Children 16 to 18 may only work 35 hours per week, and children under 16 are only permitted to work 30 hours per week. The law does not permit children to be engaged in underground work or in conditions that are physically arduous or harmful to their health.²⁹ The Constitution prohibits forced labor, including that of children.³⁰ There is no evidence of effective enforcement of child labor laws in Afghanistan.³¹ According to the U.S. Department of State, the government lacks the capacity to enforce child labor laws.³²

Until new laws are enacted, trafficking crimes may be prosecuted under laws dealing with kidnapping, rape, forced labor, transportation of minors, child endangerment, and hostage taking. Prison sentences for such offenses are longer for cases involving minors and girls.³³ The government reported the arrest of 40 to 70 child traffickers in 2005, the most recent date for which such information is available. Fifteen persons were convicted and seven received death sentences.³⁴ The minimum age for recruitment into the armed forces is 18.³⁵

²⁴ U.S. Department of State, "Country Reports- 2006: Afghanistan," Section 5.

²⁵ Ibid.

²⁶ U.S. Department of State, "Trafficking in Persons Report- 2006: Afghanistan." See also U.S. Embassy- Kabul, *reporting, September 14, 2005*. See also IOM, *Trafficking in Persons- An Analysis of Afghanistan*, January 2004, 46, 51-61. See also U.S. Department of State, "Country Reports- 2006: Afghanistan," Section 5.

²⁷ U.S. Department of State, "Country Reports- 2006: Afghanistan," Section 5.

²⁸ UNICEF Afghanistan Official, email communication to USDOL official, May 18, 2007. See also Declan Walsh, "Global Outcry at Taliban's Use of Boy in Filmed Beheading," *The Guardian*, April 25, 2007; available from <http://www.guardian.co.uk/afghanistan/story/0,,2064910,00.html>. See also Barbara Miller, "UNICEF Condemns Taliban's Use of Child Soldiers", *The World Today*, [online], April 26, 2007 [cited May 16, 2007]; available from <http://www.abc.net.au/worldtoday/content/2007/s1907231.htm>

²⁹ U.S. Embassy- Kabul, *reporting, September 14, 2005*.

³⁰ Government of Afghanistan, *Constitution of Afghanistan*, Article 49.

³¹ U.S. Department of State, "Country Reports- 2006: Afghanistan," Section 6d.

³² U.S. Embassy- Kabul, *reporting, September 14, 2005*.

³³ U.S. Embassy- Kabul, *reporting, March 12, 2004*.

³⁴ U.S. Department of State, "Trafficking in Persons Report- 2006: Afghanistan."

³⁵ UNICEF, *Demobilization of Child Soldier and Socio-Economic Reintegration of War-affected Young People in Afghanistan*, technical progress report, February 28, 2007.

Current Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Afghanistan is working to address child soldiering and child trafficking.³⁶ In collaboration with UNICEF, the government developed a National Plan of Action to Combat Child Trafficking that sets goals and timelines for reducing the number of children vulnerable to trafficking. The government also established a National Counter-Trafficking Commission, which includes representatives of the Ministries of Labor and Social Affairs, Foreign Affairs, Justice, Interior, and Women's Affairs, as well as representatives of UNICEF and other international and national NGOs.³⁷ In 2005, the most recent year for which such information is available, 317 children who had been trafficked to Saudi Arabia, Pakistan, Oman, United Arab Emirates, and Zambia were repatriated. The Ministry of Labor and Social Affairs, together with UNICEF, established a center to assist the children.³⁸

The Government of Afghanistan participates in a USDOL-supported USD 5.27 million 4-year project (2003-2007) in which UNICEF works to demobilize and reintegrate former child soldiers and war-affected youth. The project aims to demobilize and provide community-based rehabilitative, psychosocial, and non-formal education services to 7,750 former child soldiers and 7,000 war-affected children.³⁹

³⁶ U.S. Embassy- Kabul, *reporting, March 12, 2004*.

³⁷ U.S. Embassy- Kabul, *reporting, September 14, 2005*. See also U.S. Department of State, "Afghanistan (Tier 2)," in *Trafficking in Persons Report- 2006*, Washington, DC, 2006, Section 5; available from <http://www.state.gov/g/tip/rls/tiprpt/2006/>.

³⁸ U.S. Department of State, "Country Reports- 2006: Afghanistan," Section 5.

³⁹ Vera Chrobok, *Demobilizing and Reintegrating Afghanistan's Young Soldiers: A Review and Assessment of Program Planning and Implementation*, Bonn International Center for Conversion, Bonn, 2005, 39; available from <http://www.bicc.de/publications/papers/paper42/paper42.pdf>. See also UNICEF, *Demobilization of Child Soldiers and Socio-Economic Reintegration of War-affected Young People in Afghanistan*, technical progress report, September 2005, 5. See also UNICEF, *Demobilization of Child Soldiers, technical progress report*, 5. See also Integrated Regional Information Service, *Afghanistan: UNICEF Helps Demobilize 4,000 Child Soldiers*, December 16, 2004; available from <http://www.irinnews.org/print.asp?ReportID=44706>. See also USDOL, *Demobilization of Child Soldiers and Socio-economic Reintegration of War-affected Young People in Afghanistan*, ILAB Technical Cooperation Project Summary, Washington, DC.